ORIGINAL

DOCKET FILE COPY ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

RECEIVED

MAR 15 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of	)	
	)	
Petition for Rulemaking of the	)	
Wireless Ethernet Compatibility	)	RM-10371
Alliance to Permit Unlicensed	)	
National Information Infrastructure		
Devices to Operate in the 5.470-		
5.725 MHz Band	)	

REPLY COMMENTS

AIR2LAN Inc., a Delaware corporation and a member of the Wireless Communications Association International, Inc.'s License Exempt Alliance, is a supplier of broadband Internet and network services primarily via license exempt wireless technology. Pursuant to Section 1.405 of the Commission's Rules, we hereby submit our reply comments in support of the above-captioned Petition for Rulemaking filed by the Wireless Ethernet Compatibility Alliance ("WECA") to allocate the 5.470-5.725 GHz hand for use by Unlicensed National Information Infrastructure ("U-NII") devices.

AIR2LAN provides broadband Internet, intranet, extranet, WAN and LAN and other network services to small-to-medium sized businesses. We currently serve **six** markets: Houston, TX; New Orleans, LA; Montgomery, AL; and Jackson, Vicksburg and Yazoo City, MS. The majority of our broadband **services** are supplied via ISM and U-NII hand license-exempt frequencies. We currently serve over 600 customers with more than 9000 end users. Because of the success of wireless broadband, AIR2LAN's

customers are requesting higher bandwidth and more network features, which also require greater bandwidth. Allocation of the 5.470-5.725 GHz spectrum will allow us to serve more customers and offer new and innovative spectrum-intensive services.

AIR2LAN has had good success in deploying wireless broadband services, becoming profitable in our first market (Jackson) in less than 18 months. This growth, however has confirmed that the available license-exempt frequencies can be consumed very quickly, especially as customers continue to request more bandwidth. This is especially problematic where alternative broadband services (cable, DSL) are not readily available. Indeed, even in larger markets such as Houston and New Orleans, many areas are not served by cable or DSL. The businesses in these areas instead must obtain T1 (or fractional T1) lines at high costs. AIR2LAN and other wireless providers can deliver broadband service at more reasonable costs within a much shorter period of time.

AIR2LAN urges the Commission to permit users of the 5.470-5.725 GHz band to utilize the higher power levels currently permitted in the 5.725-5.825 GHz band and set forth in Section 15.407(a)(3) of the Commission's rules. This is a pressing need for the 5.470-5.725 GHz band in point-to-multipoint applications, which represent the only cost-effective method for providing low cost broadband service in a wireless configuration. Point-to-multipoint applications require wider bcamwidth (and thus lower gain) antennas *at* the base station cells. There is already a ***6*** dB deficit between the 5.725-5.825 GHz band and the 2.4 GHz ISM band, and the equipment tends to be more expensive as frequency increases. The higher equipment costs coupled with smaller service areas (due to lower power) already increases the cost of providing service in the 5 GHz band. If

AIR2LAN is subject to an additional **6-8** dB power reduction in the 5.470-5.725 GHz hand, the cost of providing service will be prohibitive.

AIR2LAN acknowledges that operation in the 5.470-5.725 GHz band at higher power raises the possibility of interference with some radar and radiolocation services in that spectrum. It should be noted, however, that the 5.725-5.825 band is less than 0.08 octave above the 5.470-5.725 GHz band and may be deployed with **up** to 30 dBm of power. AIR2LAN is unaware of any interference problems arising from higher power operations at 5.725-5.825 GHz, and it is reasonable to assume that similar operation in the 5.470-5.725 GHz hand could operate in similar non-interfering manner with incumbent services.

Respectfully Submitted,

AIR2LAN Inc

By: /s/

Dennis W. Cameron
VP RF Technology

AIR2LAN, Inc.
1755 Lelia Dr., Suite 302
Jackson, MS 39216
(601) 713-1401

March 12,2002